

Dear Ladies and Gentlemen of FCC:

I write to tell you of my concern with the proposed regulation that would prohibit an association from sending faxes to members regarding upcoming events, publications available for sale, or other items that could be considered solicitations.

As the executive of an association serving osteopathic physicians in my state, I am pleased to see the "no call list" put in place. In our office we receive faxes, phone calls and emails from numerous parties who are just wasting our time. However, I appreciate getting notices of meetings for my own industry (association management) from the Indiana Society of Association Executives, the American Society of Association Executives, and other peer groups. I do not consider these to be "junk" mail, faxes, phone calls, or emails. They concern information that helps me do my job better.

I believe the members of the association I work for feel the same way about information we send them. As an example, there have recently been conference calls hosted by the Centers for Medicare and Medicaid Services (CMS) to help provider offices prepare for implementation of the new HIPAA regulations. As I understand the proposed rule, fax notices of these programs would be banned. Please reconsider how you will apply and interpret your new rule.

Associations, societies, trade groups, etc. should be able to send information about upcoming programs and publications to members without restriction.

Thank you.

Michael H. Claphan, CAE

Executive Director

Indiana Osteopathic Association